

PSJ10 Exh 61

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION
4 - - -
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6 IN RE: NATIONAL : HON. DAN A.
7 PRESCRIPTION OPIATE : POLSTER
8 LITIGATION : MDL NO. 2804
9 :
10 APPLIES TO ALL CASES : NO.
11 : 1:17-MD-2804
12 :
13

14 - HIGHLY CONFIDENTIAL -
15

16 SUBJECT TO FURTHER CONFIDENTIALITY REVIEW
17
18 - - -
19

20 December 11, 2018
21 - - -
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23 Videotaped deposition of
24 NANCY BARAN, taken pursuant to notice,
was held at the offices of Carella Byrne,
P.C., 5 Becker Farm Road, Roseland, New
Jersey, beginning at 9:02 a.m., on the
above date, before Michelle L. Gray, a
Registered Professional Reporter,
Certified Shorthand Reporter, Certified
Realtime Reporter, and Notary Public.
- - -
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14 ALSO PRESENT:

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VIDEOTAPE TECHNICIAN

16 Henry Marte

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1 security access to release a credit hold,
2 much like the same, no other groups had
3 access to those holds.

4 Q. Understood. So you can put
5 that exhibit aside for -- for now, we may
6 come back to it later.

7 A. Okay.

8 Q. But I want to return to
9 Exhibit 2.

10 A. Oh.

11 Q. And just discuss. So you've
12 listed three different, one, two, three.
13 You've listed your -- your time at
14 Actavis, Allergan, and Teva as three
15 different entries. It says Actavis 2008
16 to 2013, Allergan 2008 to 2017, and Teva
17 2008 to 2017; is that correct?

18 A. It's probably a little
19 confusing the way it reads. I had a
20 resumé writer take my resumé, and -- and
21 they did my LinkedIn profile. And I
22 guess this is the way they thought it
23 should appear.

24 Q. Understood.

1 A. But it's -- it's all one
2 company.

3 Q. Do you remember when you --
4 when you began your employment at -- at
5 Actavis in 2008, which company hired you?

6 A. When I began my employment
7 with Actavis, which company hired me?
8 Actavis.

9 Q. Okay. Is that -- do you
10 remember which Actavis? Can you be more
11 specific? Actavis Inc.?

12 A. I don't know the -- the
13 legal entity name, Actavis Inc., LLC, I
14 don't know.

15 Q. Okay.

16 A. So, you know.

17 Q. So at some point during your
18 employment at Actavis, Watson came in and
19 acquired the company.

20 A. Correct.

21 Q. Is that correct?

22 A. Yes.

23 Q. Did your job duties change
24 at that point?

1 A. Yes. The -- the role not so
2 much but the -- the magnitude did. I
3 mean the volume obviously. So to explain
4 that, Watson had its customer service
5 group headquartered in California,
6 Irvine, California. And the decision was
7 made that they wanted to have customer
8 service in a corporate location, which
9 the decision was Parsippany, New Jersey.

10 So I was given the
11 opportunity to build the new combined
12 team. And when I say build, we had to
13 build it virtually from the ground up.
14 Actavis was a much smaller company at the
15 time and the customer service group for
16 Watson, I'm just going to take a guess,
17 maybe they had 15, 20 employees. I
18 don't -- I don't remember the number
19 exactly. Very seasoned. I mean their
20 average years of service were probably
21 like 20 years, so a very seasoned team.
22 So it was my job to build a team in
23 Parsippany, New Jersey, to ensure that we
24 didn't skip a beat, that there was never

1 Q. Okay. And do you recognize
2 the attachment?

3 A. Yes.

4 Q. Okay. So please go ahead
5 and read through the e-mail exchange.

6 A. Okay. So I haven't read the
7 entire letter in the back. But I get the
8 gist of what it was doing at the time.

9 Q. And I don't have specific
10 questions about the letter.

11 A. Okay.

12 Q. What I would like to know is
13 whether or not -- do you know whether or
14 not this campaign was ever implemented?

15 A. Yes.

16 Q. Okay. Was this campaign
17 ever implemented?

18 A. Yes, it was.

19 Q. And how was it implemented?

20 A. I wasn't involved with the
21 implementation, so I don't have the
22 details. But I recall some aspects of
23 it.

24 Q. Okay. So I'm just going to

1 ask you a few questions, and then we're
2 going to take a break and then we might
3 be close to finishing.

4 So do you know whether or
5 not Actavis belonged to the -- certain
6 trade organizations, any trade
7 organizations?

8 A. It depends. Do you define
9 that trade organization like HDMA or
10 NACDS? That's a trade organization.

11 Q. So do you know if Actavis
12 ever belonged to the Healthcare
13 Distribution Alliance?

14 A. I'm not familiar with that.
15 So I don't know.

16 Q. Okay. If I called it the
17 HDA, would that make more sense? Do you
18 know if Actavis ever --

19 A. HDMA, but not HDA.

20 Q. So we'll go with the
21 Healthcare Distribution Management
22 Association. Do you know if Allergan
23 ever belonged to the HDMA?

24 A. I don't know how HDMA works,

1 if it's -- a corporation belongs to it or
2 if individuals belong to it. I know that
3 I was not a personal member. But I know
4 that there were employees who were.

5 Q. Do you recall ever
6 participating in any webinars or any
7 other meetings related to the HDMA?

8 A. We had a conference, like an
9 HDMA conference.

10 Q. Do you recall a specific
11 conference that you attended?

12 A. No, it was just like a
13 meeting where you meet with your
14 customers. And from what I remember, I
15 think that was the one I mentioned
16 earlier. I think I only went once. It
17 was kind of like speed dating.

18 You know, it's just a chance
19 where all your customers are in one place
20 at the same time, and you have many
21 meetings. It's not like you're there to
22 achieve any major objectives. It's more
23 like get together, hey, what are the big
24 subjects, how are things going.

1 They -- they joked and they
2 referred to it as speed dating. I don't
3 know much more about HDMA than that.
4 Sorry.

5 Q. You don't have to apologize.
6 Did you ever give a
7 presentation regarding suspicious order
8 monitoring issues to a conference?

9 A. To a conference? No, I
10 don't believe so. I've only been to a
11 few conferences and they wouldn't have
12 been something that I presented.

13 Q. Have you ever authored any
14 articles regarding suspicious order
15 monitoring?

16 A. Articles, no.

17 Q. Have you ever participated
18 on any panels regarding suspicious order
19 monitoring?

20 A. No.

21 Q. As part of your meetings
22 with AmerisourceBergen, Cardinal and
23 McKesson, following the September 2012
24 DEA conference, did you enter into any

1 agreements with them regarding the duty
2 to prevent diversion?

3 A. There were no agreements on
4 that topic that I'm aware of, no.

5 MS. ANTULLIS: I think we're
6 going to go off the record now and
7 take a break.

8 THE VIDEOGRAPHER: The time
9 is 4:28 p.m. Off the record.

10 (Short break.)

11 THE VIDEOGRAPHER: We are
12 back on the record. The time is
13 4:40 p.m.

14 BY MS. ANTULLIS:

15 Q. All right. So I just have a
16 couple of follow-up questions for you,
17 and I will be done.

18 First question is, during
19 any of the breaks that we've taken today
20 have you discussed your testimony that
21 you've given with your attorneys?

22 A. Not more than, you know,
23 you're doing a great job, you know, very
24 basic like that. This is my first